

**Uttar Pradesh Secondary Education Services Commission
And Selection Boards (Second Amendment) Act, 1992**

24 of 1992

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**Uttar Pradesh Secondary Education Services Commission
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AN ACT

further to amend the Uttar Pradesh Secondary Education Services Commission and Selection Boards Act, 1982.

It is hereby enacted in the Forty-third Year of the Republic of India as follows :-

1. Short title and commencement :-

(1) This Act may be called the Uttar Pradesh Secondary Education Services Commission and Selection Boards (Second Amendment) Act, 1992.

(2) It shall be deemed to have come into force on July 14, 1992.

2. Substitution of section 18 of U. P. Act no. 5 of 1982 :-

For section 18 of the Uttar Pradesh Secondary Education Services, Commission and Selection Boards Act, 1982 hereinafter referred to as the principal Act, the following section shall be substituted, namely,-

"18. Ad hoc teachers.

(1) Where the management has notified a vacancy to the Commission in accordance with the provisions of this Act, and the post of such teacher has actually remained vacant for more than two months, the management may appoint by direct recruitment or promotion a teacher on pinely, ad hoc basis, in the manner

hereinafter provided in this section.

(2) A teacher, other than a Principal or Headmaster, who is to be appointed by direct recruitment, may be appointed on the recommendation of the Selection Committee referred to in sub-section (9).

(3) A teacher, other than a Principal or Headmaster, who is to be appointed by promotion, may in the manner prescribed be appointed by promoting the senior most teacher possessing prescribed qualifications-

(a) in the trained graduates grade, as a lecturer, in the case of a vacancy in lecturers grade ;

(b) in the Certificate of Teaching grade, as a teacher in the trained graduates grade, in the case of vacancy in trained graduates grade.

(4) A vacancy in the post of a Principal may be filled by promoting the seniormost teacher in the lecturers grade.

(5) A vacancy in the post of a Headmaster may be filled by promoting the seniormost teacher in the trained graduates grade.

(6) For the purposes of making appointments under subsections (2) and (3), the Management shall determine the number of vacancies, as also the number of vacancies to be reserved for the candidates belonging to the Scheduled Castes, Scheduled Tribes and other categories of persons in accordance with the rules or orders issued by the State Government in this behalf. If in determining the vacancies it is found that persons belonging to such categories are not holding such number of posts as should have been held by them in accordance with such rules or orders, then the vacancies shall be so determined that first and every alternate vacancy shall be reserved for the persons of such categories until the required percentage of posts is held by them.

(7) After determining the number of vacancies as provided in subsection (6) the Management shall within fifteen days from the date of the commencement of the Uttar Pradesh Secondary Education Services Commission and Selection Board (Second Amendment) Act, 1992 intimate the vacancies to be filled by direct recruitment to the District Inspector of Schools. If the Management fails to intimate such vacancies within the said period of fifteen days, the District Inspector of Schools may, after verification from such institution or from his own records, determine such vacancies himself.

(8) The District Inspector of Schools shall, on receipt of intimation of vacancies or as the case may be, after determining the vacancies under sub-section (7), invite applications, from the persons

possessing qualifications prescribed under the Intermediate Education Act, 1921 or the regulations made thereunder, for ad hoc appointment to the post of teachers, other than Principal or Head-masters in such manner as may be prescribed.

(9) (a) For each district, there shall be a Selection Committee for selection of candidates for ad hoc appointment by direct recruitment comprising-

(i) District Inspector of Schools, who shall be the Chairman ;

(ii) Basic Shiksha Adhikari ;

(iii) District Inspectress of Girls Schools, and where there is no such Inspectress, the Principal of the Government Girls Intermediate College and where there are more than one such college, the seniormost Principal of such Colleges and where there is no such College, the Principal of the Government Girls Intermediate College as nominated by the State Government.

(b) The Selection Committee constituted under clause (a) shall make selection of the candidates, prepare a list of the selected candidates, allocate them to the institutions and recommend their names to the Management for appointment under sub-section (2) ,

(c) The criteria and procedure for selection of candidates and the manner of preparation of list of selected candidates and their allocation to the institutions shall be such as may be prescribed.

(10) Every appointment of an ad hoc teacher under subsection (1) shall cease to have effect from the date when the candidate recommended by the Commission or the Board joins the post.

(31) The provisions of sections 21-D shall, mutatis mutandis, apply to the teachers who are to be appointed under the provisions of this section."

3. Repeal and saving :-

(1) The Uttar Pradesh Secondary Education services Commission and Selection Boards (Amendment) Ordinance, 1992 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act, as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provision of the principal Act, as amended by this Act, as if the provisions of this Act were in force at all material times.